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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/649,157

08/27/2003

James Salande JR.

S03-0202

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05/18/2005

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EXAMINER

NGUYEN, THU V

ART UNIT

PAPER NUMBER

3661

DATE MAILED: 05/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/649,157

Applicant(s)

SALANDE, JAMES

Examiner

Thu Nguyen

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

The amendment filed on March 8, 2005 has been entered. By this amendment, claims 1-19 are now pending in the application.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-10, 12, 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joao (US 2002/0121969) in view of Jeng (US 2004/0267419).

As per claim 1-2, Joao teaches an interactive system for live streaming of data to and from a vehicle comprising: a plurality of data collection devices (video cameras) 11 (fig.1) in the vehicle (para 0182-0183; 0355; 0357-0358); a main control processing unit 4 (fig.1) in the vehicle for receiving and processing data from the collection devices (para 0178; 0182-0183; 0308; 0355-0358); a communication means for transmitting and uploading a continuous stream of the data in real time from the data collection devices to a remote control location (para 0357-0358; 0346); moreover, since Joao teaches the capability of transmitting data via internet (para 0217, 0218), Joao encompasses connecting the processing unit to the Internet. Joao does not explicitly disclose transmitting data from a moving vehicle. However, since Joao teaches

transmitting data at any time selected from the user (para 0308; 0312), and since monitoring the status of the vehicle at the time the vehicle is operating is well known, Joao obviously encompasses teaching transmitting data when the vehicle is moving when the user select auto transmission mode or at a specific time the vehicle is traveling in order to enable the remote station to monitor the status of the vehicle while in operation. Joao does not teaches including a flash memory, a means for connecting the main processing unit to a stereo through an audio card. However, Jeng suggests implementing flash memory for storing data collected from collection devices (para 0019, 0034); connecting a stereo to a controller (para 0026), moreover, since connecting stereo system to a computer system using audio card implemented in the computer system as an interface would have been well known, Jeng obviously encompasses teaching using audio card to connect the stereo to the controller. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to implement the flash memory and the stereo system to the controller of Joao in order to facilitate storing a large amount of data in the memory quickly and to allow the user to play music in the vehicle from the central controller.

As per claim 3-4, Joao teaches connecting the main control unit 4 (fig.1) to a location identifying communication GPS database (para 0202-0203). Further, with respect to claim 4, since Joao and Jeng teach the capability of transmitting data wirelessly over Internet (Joao in para 0343; and Jeng in para 0040), and since using air card as an interface for transmitting data over internet would have been well known, Joao and Jeng obviously encompasses teaching including an air card as an interface to transmit data. Moreover, implementing the aircard to a

suitable controller such as the GPS receiver controller would have been an obvious matter of design choice.

As per claim 5-6, Joao teaches including cellular communications (para 0163), and networked communications (para 0221) for authorized access (para 0223).

As per claim 7-8, Joao teaches a second control processing unit 970 (fig.11A) for receiving and analyzing data received from the main control unit 4 (fig.11A) (para 0320; 0357-0360); and for displaying data received from the main control processing unit (para 0346; 0330).

As per claim 9, Joao teaches connecting the main control processing unit to an audio communication device (para 0184).

As per claim 10, 12, receiving, storing and displaying data retrieved from a network such as map and vehicle position data, allowing access to an in-vehicle system to authorized person would have been well known.

As per claim 14, since both Joao and Jen teaches the capability of transmitting data over internet (Joao para 0217, Jeng para 0014), and since using a wireless air card such as modem as communication means would have been well known, Joao and Jeng obviously encompass teaching using the wireless aircard for transmitting data.

3. Claims 11, 13, 15-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joao (US 2002/0121969) in view of Jeng (US 2004/0267419) and further in view of Ponmalai (US 2004/0183374).

As per claim 11, Ponmalai teaches powering the in-vehicle system by a direct current battery of the vehicle (para 0002). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide the DC power to the system of Joao in order to facilitate using the DC power supplied by the vehicle as taught by Ponmalai in para 0017.

As per claim 13, Ponmalai teaches selecting the ITX as control motherboard (para 0004), therefore, replacing the controller of Joao with the known ITX taught by Ponmalai would have been an obvious matter of design choice. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to select the well known mini-ITX the main processor of Joao in order to obtain optimize size to the control circuit board in the vehicle.

As per claim 15-19, refer to claims 1, 3, 12-13, 7, 2, 4-5 above.

Response to Arguments

In response to applicant's argument on page 6, first three paragraphs, Jeng teaches connecting an in-vehicle CPU to an in vehicle audio communication device (refer to claim 1 above).

In response to applicant argument on claims 10-11, 13, 14, refer to the discussion in section 35 USC 103 above. The cited reference of Ponmalai supports the examiner assertion of the well known features of claims 11, 13. Concerning claim 10 and 14, the subject matter are very well known, applicant does not adequately traverse to assertion that the claim subject matter in claims 10 and 14 would have been well known. To adequately traverse such a finding, an applicant must specifically point out the supposed errors in the examiner's action, which would include stating why the noticed fact is not considered to be common knowledge or well-known in the art. A general allegation that the claims define a patentable invention without any reference to the examiner's assertion of official notice would be inadequate (see MPEP 2144.03).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

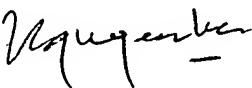
Art Unit: 3661

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Nguyen whose telephone number is (571) 272-6967. The examiner can normally be reached on T-F (7:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

May 14, 2005


THU V. NGUYEN
PRIMARY EXAMINER